

**STATE OF CALIFORNIA
(ARMY/AIR) NATIONAL GUARD
(SPECIAL/SUMMARY) COURT MARTIAL**

**PEOPLE OF THE STATE OF CALIFORNIA
VS.**

NO.

ORDER OF COMMITMENT

TO: THE SHERIFF OF _____ COUNTY OR POLICE CHIEF OF _____ CITY:

1. The defendant has been convicted of Violation of UCMJ, Section _____ by a California National Guard Court-Martial. Therefore, pursuant to California Military & Veterans Code, Sections 463 and 464 (see reverse), the sentence of this court-martial, and the action of the convening authority in the above-captioned matter:

YOU ARE DIRECTED TO COMMIT TO CONFINEMENT FORTHWITH THE ABOVE-NAMED MEMBER OF THE CALIFORNIA NATIONAL GUARD AND TO KEEP SAID PERSON IN YOUR CUSTODY

FOR THE FOLLOWING PERIOD OF COMMITMENT: _____ DAYS.

2. If the defendant is not delivered into your custody with this order, you are to promptly arrest said person for the purpose of commitment.

3. Permission is hereby given to photograph and fingerprint this individual if such is required by the usual procedures of your agency.

4. When the above-named individual has been committed to confinement, and again when he has been released, you are requested to notify the undersigned at the following telephone number:

(_____) _____.

Name of Defendant:

Rank:

Soc. Sec. #:

Residence Address:

Res. Tel. No.

City/State/ZIP:

Bus. Tel. No.

Business Address:

City/State/ZIP:

Description: Sex —

Hair —

Eyes —

Ht. —

Wt. —

Race —

Date of Birth:

Vehicle Data: Lic. # —

Make —

Model —

Year —

Color —

Driver's License # —

Dated:

(Signature of Summary/Special Court Officer)

(Typed name and rank)

(Military unit and location)

CALIFORNIA MILITARY & VETERANS CODE

§463 Process and Mandates.

Military courts may issue all process and mandates, including writs and warrants, necessary and proper to carry into full effect the powers vested in such courts. Such process or mandates may be directed to the sheriff of any county, any peace officer, the police of any city and the constables and marshals of any town or city, or to any officer or enlisted man appointed by the court to serve or execute the same. All officers to whom process or mandates are directed shall execute such process or mandates and make return of their acts thereunder according to the requirements thereof.

§464 Confinement of persons committed by process or mandate.

The keepers or warden of any jail shall receive the bodies of persons committed by the process or mandate of a military court and confine them in the manner prescribed by law. Except as otherwise specially provided in this division, no fees or charges of any nature shall be demanded or required to be paid by the State, or any military court or member thereof, or by the person executing its mandate of process, or by any public officer for receiving, executing, or returning any such process or mandate, or for any service in connection therewith, or for receiving or confining the person in jail or custody thereunder. Minors shall be confined in a detention home or equivalent place of confinement, and shall not be confined in a jail with other persons. Persons committed by the process or mandate of a military court shall not be photographed or fingerprinted unless such process or mandate expressly so directs.

§465 Warrants for arrest; copy of charges; appearance, effect of.

Presidents of courts-martial, one-officer special courts-martial, and summary court officers shall have power to issue warrants to arrest an accused person and to bring him before the court for trial. A court shall be ordered for his trial within the time similarly prescribed by the rules and regulations of the United States Army. If a copy of the charges and specifications is not served, or a court is not ordered within the time herein limited, the arrest shall cease, but such charges and specifications may be served, a court ordered, and the officer or enlisted man be brought to trial after such release from arrest within the time prescribed by the rules and regulations of the United States Army in similar circumstances. The appearance of the accused, without objection and pleading to the charges, shall be a waiver of any defect or irregularity of such service of any of the papers mentioned in this section.